

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

**8:16CR333**

VS.

CHARMION YELLOWCLOUD

Defendant.

**ORDER**

This matter is before the court on Defendant's unopposed Motion to Continue Trial [48]. Counsel is seeking a continuance to allow the defendant to testify in USA v Silas Kitto and to finalize the plea agreement. For good cause shown,

**IT IS ORDERED** that Defendant's unopposed Motion to Continue Trial [48] is granted as follows:

1. The jury trial, now set for November 7, 2017, is continued to **February 6, 2018**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 6, 2018**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 1<sup>st</sup> day of November, 2017.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge